

# HIPAA - Privacy – Privacy Officer Responsibilities

TRICARE Management Activity, Electronic Business Policy & Standards

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OSD(HA), TMA eBPS

## Highlights

- ◆ General Requirement
- ◆ Policy Implementation, Oversight, Auditing, and Compliance
- ◆ Education, Training, and Communication
- ◆ MTF Integration Activities

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## HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)

### *General Requirement*

The Privacy Rule requires each covered entity, i.e., medical and dental treatment facilities, to appoint a Privacy Officer (PO). The PO oversees all ongoing activities related to the development, implementation, and maintenance of military treatment facility (MTF)/dental treatment facility (DTF) policies and procedures covering the access to and privacy of patient health information. The PO ensures adherence to Military Health System (MHS) policies and procedures covering these same areas. The PO also ensures MTF/DTF compliance with federal and state laws and the healthcare organization's information privacy practices, and leads initiatives to strengthen patient information privacy protections. The PO seeks to address privacy issues by balancing patient needs and the organization's requirements when making decisions related to patient health information.

### *Policy Implementation, Oversight, Auditing, and Compliance*

- ◆ Develop policy and procedures for local implementation of the DoD HIPAA Privacy regulation requirements.
- ◆ Maintain current knowledge of applicable federal, DoD, and state privacy laws, accreditation standards, and DoD and Service regulations. Monitor advancements of emerging privacy technologies to ensure that the MTF/DTF is positioned to adapt and comply with these advancements.
- ◆ Establish and recognize best practices relative to the management of the privacy of health information.
- ◆ Serve as a liaison to the MTF/DTF Medical Information Security Readiness Team (MISRT).
- ◆ Perform initial and periodic information privacy risk assessments and conduct related ongoing compliance monitoring activities in coordination with applicable Service directives and the TMA HIPAA Office. Report findings as required.
- ◆ Ensure a mechanism is in place within the MTF/DTF for receiving, documenting, tracking, investigating, and taking action on all complaints concerning the organization's privacy policies and procedures in coordination and collaboration with other similar functions and, when necessary, legal counsel.
- ◆ Establish a mechanism which tracks access to protected health information, within the purview of organizational policy and as required by law, and allows qualified individuals to review or receive a report on such activity.

### *Education, Training, and Communication*

- ◆ Oversee, direct, and ensure delivery of initial privacy training and orientation to all employees, volunteers, clinical staff, business associates, and other appropriate third parties. Record results in compliance with MTF/DTF training documentation policies. Ensure annual refresher training is conducted in order to maintain workforce awareness and to introduce any changes to privacy policies.



- ♦ Initiate, facilitate, and promote activities to foster information privacy awareness within the organization and related entities.
- ♦ Serve as the advocate for the patient, relative to the confidentiality and privacy of health information.

## ***MTF Integration Activities***

- ♦ Understand the content of health information in its clinical, research, and business context.
- ♦ Understand the decision-making processes throughout the MTF/DTF that rely on health information. Identify and monitor the flow of information within the MTF/DTF and throughout the local healthcare network.
- ♦ Serve as privacy liaison for users of clinical and administrative systems.
- ♦ Review all system-related information security plans throughout the MTF/DTF network to ensure alignment between security and privacy practices, and act as a liaison to the information systems department.
- ♦ Collaborate with other healthcare professionals to ensure appropriate security measures are in place to safeguard protected health information.